

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No.  
201701016-5

Originating Department:	Public Works, Equipment Services
Division/Program: (i.e. Dept. Division and Program)	90/9090/99040
Contract or Grant Administrator:	Eric Schlehuber, Public Works Equipment Services Manager
Contractor's / Agency Name:	Elliot Bay Design Group, LLC
Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>201701016</u>	
Does contract require Council Approval?    Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____ (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____	
Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process?    Contract Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, RFP and Bid number(s): <u>17-01, 18-01, 19-01</u> Cost Center: <u>501100</u>	
Is this agreement excluded from E-Verify?    No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: <input checked="" type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>160,000</u> This Amendment Amount: \$ <u>10,000</u> Total Amended Amount: \$ <u>170,000</u>	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies. 4. Equipment is included in Exhibit "B" of the Budget Ordinance 5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.
Summary of Scope: Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Elliot Bay Design Group, LLC to provide engineering services for the annual dry dock for the Whatcom Chief Ferry along with the other on-call services as needed for the Lummi Island Ferry System during the year, in the amount of \$10,000 for a total amended contract amount of \$170,000.	
Term of Contract:	December 1, 2019    Expiration Date: November 30, 2020

Contract Routing:	1. Prepared by: <u>T. Iddings</u>	Date: <u>7/16/2020</u>
	2. Attorney signoff: <u>C.Quinn</u>	Date: <u>7/20/2020</u>
	3. AS Finance reviewed: <u>bennett</u>	Date: <u>8/06/2020</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: <u>8-7-2020</u>
	6. Submitted to Exec.: _____	Date: <u>9-15-2020</u>
	7. Council approved (if necessary): _____	Date: <u>9.15.2020</u>
	8. Executive signed: _____	Date: <u>9-16-2020</u>
	9. Original to Council: _____	Date: <u>9-17-2020</u>

COUNTY ORIGINAL

Amendment No. 1  
Whatcom County Contract No. 201906036  
CONTRACT BETWEEN WHATCOM COUNTY  
AND  
ELLIOT BAY DESIGN GROUP, LLC

Whatcom County Contract No.  
201701016-5

This amendment of Whatcom County Contract #201701016 is made this 16th day of September, 2020, by and between Whatcom County, a municipal corporation, hereinafter referred to as the "COUNTY", and Elliot Bay Design Group, LLC, hereinafter referred to as the "CONTRACTOR", for the purpose of providing engineering services for the annual dry dock for the Whatcom Chief Ferry along with the other on-call services as needed for the Lummi Island Ferry System during the year, as more fully and definitively described in Exhibit "A" hereto. The language of Exhibit "A" controls in case of any conflict between it and that provided here.

This Amendment will increase the maximum consideration by \$10,000.00 to a total consideration of \$170,000 including the first year exercised from inception on this contract as follows:

- A. The maximum consideration for the extension of this agreement shall not exceed \$10,000.00 USD, for an amended running total amount of approximately \$170,000.00 on this contract. The contract number, set forth above, shall be included on all billings or correspondence in connection therewith.

All other terms and conditions set forth in the original agreement will remain in full force and effect.

DATED this 7 day of August 2020.

**CONTRACTOR:**

ELLIOT BAY DESIGN GROUP, LLC

[Signature]  
Brian King, President

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF King )

On this 7<sup>th</sup> day of August, 2020, before me personally appeared Brian King, to me known to be the President of Elliot Bay Design Group, LLC and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

Jackie Lee  
NOTARY PUBLIC in and for the State of Washington, residing at  
Seattle, WA. My commission expires 10/28/2022.



**WHATCOM COUNTY:**  
**Recommended for Approval:**

Jon Hutchings  
Jon Hutchings, Public Works Director

8/17/20  
Date

**Approved as to form:**

Approved via Email - CQ/SD  
Christopher Quinn, Senior Prosecuting Attorney      Date

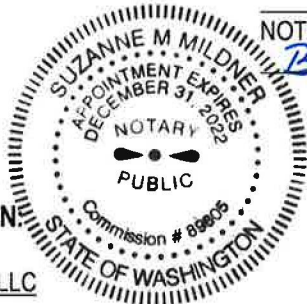
**Approved:**

Accepted for Whatcom County:

By: Satpal Sidhu  
Satpal Singh Sidhu, Whatcom County Executive

STATE OF WASHINGTON    )  
  ) SS  
COUNTY OF WHATCOM    )

On this 16th day of September, 2020, before me personally appeared Satpal Singh Sidhu, to me known to be the County Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.



Suzanne M. Mildner  
NOTARY PUBLIC in and for the State of Washington, residing at Bellingham  
My commission expires 12-31-22.

**CONTRACTOR INFORMATION:**

ELLIOT BAY DESIGN GROUP, LLC

Brian King, President

Address:  
5305 Shilshole Avenue NW, Suite 100  
Seattle, WA 98107

Mailing Address:  
5305 Shilshole Avenue NW, Suite 100  
Seattle, WA 98107

Contact Name: David Turner

Contact Phone: 206-782-3082

Contact FAX: 206-782-3449

Contact Email: dturner@ebdg.com



**WHATCOM COUNTY  
PUBLIC WORKS DEPARTMENT**



**Jon Hutchings**  
Director

**EQUIPMENT SERVICES DIVISION**  
901 W. Smith Road  
Bellingham, WA 98226-9610  
Phone (360) 778-6400  
Fax (360) 778-6401  
Eric L. Schlehuber, Division Manager

**RECEIVED**

SEP 15 2020

**MEMORANDUM**

**WHATCOM COUNTY  
EXECUTIVE'S OFFICE**

**TO:** The Honorable Satpal Singh Sidhu, County Executive and Honorable Members of the Whatcom County Council

**THROUGH:** Jon Hutchings, PW Director *JH*

**FROM:** Eric L. Schlehuber, PW Equipment Services Manager *ES*

**RE:** Amendment to On Call Support for Lummi Island Ferry System Contract (Whatcom County Contract #201701016-5), Elliot Bay Design Group, LLC

**DATE:** July 16, 2020

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▪ **Requested Action**

Approval requested to amend and extend Whatcom County Contract #201701016 for On Call Support for Lummi Island Ferry System, between Whatcom County and Elliot Bay Design Group, LLC, in the amount of \$10,000 for a total amended contract amount of \$170,000.

▪ **Background and Purpose**

This amendment is intended to only increase the contract amount for the services of Elliott Bay Design Group, LLC for the purposes of providing engineering services for the annual dry dock for the Whatcom Chief Ferry along with the other on-call services as needed for the Lummi Island Ferry System during the year. Elliott Bay Design Group, LLC is on the current Annual Professional Services Open Roster (RFQ #18-01). Additional contract authority is needed due to increased costs associated with the alternate/reduced scope of work for the 2020 annual drydocking of the Whatcom Chief.

▪ **Funding Amount and Source**

The resulting amendment will increase the original contract by \$10,000 for a total amended contract amount of \$170,000. Work will be done on an "as needed" basis. The funding for this contract was provided for during the 2019-2020 Budget process.

▪ **Recommended Action**

Please approve this amended contract (Whatcom County Contract #201701016-5) for the Whatcom Chief Ferry engineering and on call support services and forward to the County Executive and the County Council for approval. This contract will end on November 30, 2020.

Please contact Eric L. Schlehuber at extension 6405, if you have any questions or concerns regarding the terms of this agreement.

Enclosures